

In The **UNITED STATES COURT**
EASTERN DISTRICT OF PENNSYLVANIA

HENRY GRAJALES-EL

Plaintiff, **PROSE**

Vs.

Case# 22-CV-3455

AMAZON Logistics Inc.

Defendant.

CERTIFICATE OF SERVICE OF LEGAL PAPERS OTHER THAN ORIGINAL PROCESS

I, Natalya Gasova, mailed copies of Plaintiff's documents in this matter; I certify that copies of following documents

1. AMENDED CIVIL COMPLAINT PURSUANT TO RULE 15

were serviced BY first class mail,

filed on 9-26-2022 was sent to at: **CLERK OF THE EASTERN DISTRICT US COURT HOUSE**

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Philadelphia, PA. 19106

BY FIRST CLASS MAIL on 9-26-2022

Print NAME Natalya V Gasova

Signature [Signature]

Date 9-26-2022

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EASTERN DISTRICT OF PENNSYLVANIA

HENRY GRAJALES-EL
Plaintiff, PRO SE

Vs.

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AMENDED
COMPLAINT
RULE 15

FORWARD

1. Plaintiff moves to AMEND the complain under RULE 15 to address some of the issues Defendants attorney brought to attention in their Notice of Removal. There was also another matter that came up in this honorable courts Notice of Guidelines for 'representing yourself, regarding Pro Se' and Class Actions.

a. The correct Defendant is Amazon Logistics Inc., "AMAZON". not Amazon Prime.

b. A miss understanding in the complaint filed with Lancaster, Pennsylvania Court of Common Pleas needs to be addressed..."missing info on a mid-sentence statement". This was miss print.

c. Plaintiff is adjusting the Demand amount form \$10,000,000,000.00 to \$500,000,000.00.
A PRO SE Plaintiff can not enter a CLASS as part of this action.

JURISDICTION

2. Plaintiff agrees a Diversity of Citizenship exist, and that the Demand amount exceeds \$75,000. The US. Eastern District Court is the correct venue to adjudicate this case, do to the fact that the Defendant is not a citizen of Pennsylvania, and that the actions made against the Plaintiff in this Amended Complaint happened at Amazon Logistics Inc. DPH-7 addressed at 10 Industrial Rd, Elizabethtown, Lancaster county, Pennsylvania 17022. Across State lines.

CLAIM

3. AMAZON produced a document that defamed Plaintiff's' reputation. The document made a lot of accusations against the Plaintiff, one accusation found proven to be clearly false. With this false documentation, Amazon tried to have the Plaintiff, Henry Grajales-EL, terminated by his employer. Termination didn't work, because Plaintiff was not an employee of AMAZON. So, AMAZON subjugated the Plaintiff to an unmerited corrective disciplinary action, that had undisclosed harmful adverse mental effects that Plaintiff suffered. And he was never compensated for his time spent in corrective action. No consideration was afforded to the Plaintiff's disabilities issues. And still to this day AMAZON has not even issued an apology.
4. On April 29, 2020 Amazon OTR Safety lead submitted a report to TAC Delivery regarding Plaintiff, Henry Grajales-EL. This documented report lead to a disciplinary action against Henry Grajales-EL. See Attached "Exhibit A", is a copy of said report. In this report, many claims were made against the defendant, without solid proof. "Speeding"... was one of the FALSE claims made against the Plaintiff, Henry Grajales-EL.
5. According to the e-Mentor service that Amazon uses to monitor its drivers. It was documented on 29th April 2020, starting at the logging time of 6:49am, till the end of the day when Plaintiff logged out that he was NOT SPEEDING. See attached EXHIBIT "B". Plaintiff took the time out on a work break to research his e-Mentor history. This exhibit "B" is a cell phone screen shot taken during a work break at 11:35am shortly after Amazon's e-Mentor driving monitoring app completed its driving assessment for the date for 29th April 2020.
6. Plaintiff, Henry Grajales-EL is registered as a worker with disabilities in the state of Pennsylvania. On the morning of 29 April 2020, the Plaintiff, Henry Grajales-EL did declare to his supervisor that he was very ill due to diabetic issues. Plaintiff was given a choice....decided he will keep it moving at work. During the entire day he was repeatedly stopping his deliveries to vomit on the side of the road and clean himself up from defecating on himself.
7. None of this information regarding plaintiffs disabilities or the e-Mentor report was able to be represented in defense of the Plaintiff, because Amazon Logistics Inc. has no established disciplinary protocols put in place for delivery drivers to protect their human rights to object or defend oneself against any accusations. There is no right to defend oneself or be heard before a verdict is rendered that leads to disciplinary corrective actions.
8. Without any kind of a fair impartial investigation or mediation allowed. Amazon took "what seem to be malicious actions" against the Plaintiff, Henry Grajales-EL, to have him terminated. Termination was rejected by TAC Delivery. Instead, without Plaintiffs consent and knowledge, Henry Grajales-EL, was forced into an UNMERITED disciplinary corrective action, where he was not compensated for his time, made sick with headache and vomiting; Plus, Plaintiff suffered a Post-Traumatic Stress break down.

9. The disciplinary/corrective action violated The plaintiff Henry Grajales-EL human rights. Plaintiff was subject to cruel and unusual disciplinary methods as punishments, which were deliberately designed to cause harmful adverse mental effects. As a result of this cruel and unusual method of discipline; Plaintiff, Henry Grajales-EL suffered headaches, dizziness, vomiting and it triggered issues with Plaintiffs Post-Traumatic Stress Disorder.

10. Plaintiff Henry Grajales-EL was discriminated against. Amazon deliberately ignored Plaintiffs issues with his physical disabilities in relation to Diabetes and mental issues.

Jury demanded

Request for trial by Jury is demanded.

11.

COMPENSATION

12. Plaintiff, Henry Grajales-EL, request an award in the amount of \$500,000,000.00.

28 U.S. Code:§1746

13. The Plaintiff, Henry Grajales-EL, declares the forgoing, along with the two exhibits attached with this complaint, as true and correct to the best for his knowledge. All stated above is declared under the penalties of perjury on the date noted below.

Signed:

Plaintiff, Henry Grajales-EL

DATE:

9/26/2022

EXHIBIT A

EX = A

Wednesday April 29, 2020

TACD

Driver: Henry Grajales-El

Route: CX37 (York County, York, Pa.)

I met up with Henry executing his route at 10:57am on his 61st stop of RT CX37 located at 2784 MEADOW CROSS WAY. I followed Henry as he delivered at several stops to observe his delivery behavioral habits. I observed from my personal vehicle at an approx. distance of 120 feet while parked behind multiple cars along the right side of the road (when possible) in the Meadow Crossings Home Development. This is a very nice neighborhood consisting of custom homes starting in the \$350,000 range plus. Most homes are on ¼ acre lots with a pristine sidewalk around the neighborhood. I observed young children out playing in driveways, walking dogs and older children on bicycles as well as adults walking.

When I first came upon Henry he was making his delivery at the customer's door. The branded van was parked on the opposite side of the road facing oncoming traffic, idling with no hazard lights on. Henry continued to travel up around the loop making deliveries while driving on the OPPOSITE side of the road with NO HAZARD lights on. He repeatedly left the driver's side door open while delivering. I drove past Henry, around the loop of Meadow Cross Way and parked behind a BMW where I observed Henry coming down the hill towards me on the correct side of the road (still no hazard lights). He passed his stop, reversed 50 feet, left the van idling with no hazards and the driver's door hanging open into the street while delivering at this stop. Henry pulled up to the intersection to make a delivery to a home on the corner. Here, Henry stopped the branded van on the opposite side of the road partially in the intersection, left the side sliding door open facing the middle of the intersection while making a delivery at the corner property on the driver's side. He did not have the hazard lights on and walked through this customer's well-manicured lawn. After leaving the package he lifted up his shirt and wiped his face. He then drove down the hill past me at a high rate of speed to the bottom of the hill to make another delivery again with no hazard lights. Speed limit in this neighborhood is 25mph.

At this point I was in contact with Amanda Glenn and I returned to the station. See attached photos

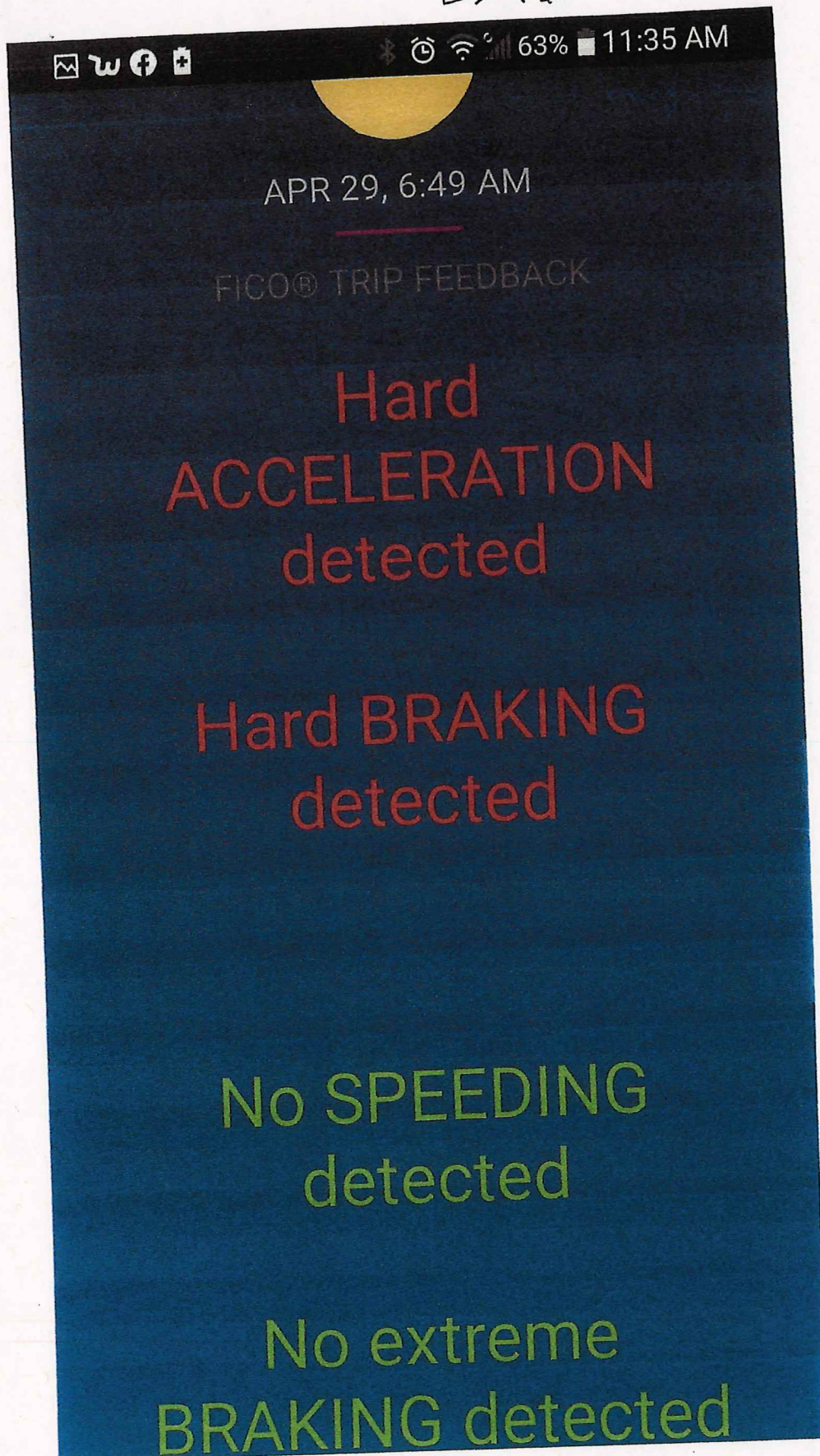
Amy Kessler

OTR Safety Lead

BPH/

EXHIBIT B

EXB

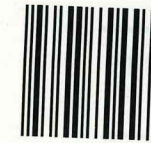


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